

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

*See MPEP chapter 600 concerning utility patent application contents.*

1.   X   Fee Transmittal Form (e.g., PTO/SB/17)  
(submit an original and a duplicate for fee processing)
2.        Applicant claims small entity status.  
See 37 CFR 1.27.
3.   X   Specification [Total Pages   79  ]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.        Drawing(s) (35 U.S.C. 113) [Total Pages       ]
5. Oath or Declaration [Total Pages   3  ]
- a.        New executed (original or copy)
  - b.        Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
  - i.        **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

7.        CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
8. Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
- a.   X   Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i.        CD-ROM or CD-R (2 copies); or
- ii.   X   paper (50 pgs.)
- c.   X   Statements verifying identity of above copies (2 pgs.)

9.        Assignment Papers (cover sheet & document(s))

10.        37 CFR 3.73(b) Statement \_\_\_\_\_ Power of  
(when there is an assignee) \_\_\_\_\_ Attorney

11.        English Translation Document (if applicable)

12.   X   Information Disclosure \_\_\_\_\_ Copies of IDS  
Statement (IDS)/PTO/SB/08   X   Citations

13.        Preliminary Amendment

14.   X   Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

15.        Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

16.        Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant must attach form PTO/SB/35 or its equivalent.

17.        Other: \_\_\_\_\_

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation      Divisional   X   Continuation-in-part (CIP) of prior application No.: 09/863,818  
 Prior application information: Examiner: Dong JIANG Group Art Unit: 1646


**For CONTINUATION OR DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## X Customer Number or Bar Code Label

or \_\_\_\_\_ Correspondence address below:

**28008**

**DNAX Research, Inc.**  
901 California Ave.  
Palo Alto, CA 94304  
*Telephone:* (650) 496-6400  
*Facsimile:* (650) 496-1200

Name (Print/Type)	Tom Brody, Reg. No. 46,433		
Signature		Date	Dec. 29, 2003

"Express Mailing" mailing label number EL 982 851 369 US Date of Deposit: December 29, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**By:**

MELANIE LYONS

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2003</h2> <p style="margin: 0; font-size: small;">Effective 01/01/2003. Patent fees are subject to annual revision.</p>		<b>Complete if Known</b>	
		Application Number	
		Filing Date	December 29, 2003
		First Named Inventor	Daniel M. GORMAN
		Examiner Name	
		Art Unit	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT	(\$)	0	Attorney Docket No. DX01170K1

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)																																																																																																																												
<p> <input type="checkbox"/> Check   <input type="checkbox"/> Credit Card   <input type="checkbox"/> Other   <input type="checkbox"/> None  <input checked="" type="checkbox"/> Deposit Account:          Deposit Account Number: <u>04-1239</u>          Deposit Account Name: <u>DNAX Research, Inc.</u>          The Commissioner is authorized to: (check all that apply)  <input type="checkbox"/> Charge fee(s) indicated below   <input checked="" type="checkbox"/> Credit any overpayments  <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application  <input checked="" type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.       </p>	<h3>3. ADDITIONAL FEES</h3> <table border="1" style="width: 100%; border-collapse: collapse; font-size: small;"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051 130</td><td>2051 65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052 50</td><td>2052 25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053 130</td><td>1053 130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812 2,520</td><td>1812 2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804 920*</td><td>1804 920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805 1,840*</td><td>1805 1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251 110</td><td>2251 55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252 410</td><td>2252 205</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253 930</td><td>2253 465</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254 1,450</td><td>2254 725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255 1,970</td><td>2255 985</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401 320</td><td>2401 160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402 320</td><td>2402 160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403 280</td><td>2403 140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451 1,510</td><td>1451 1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452 110</td><td>2452 55</td><td>Petition to revive - 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SUBMITTED BY		(Complete (if applicable))	
Name (Print/Type)	Tom Brody	Registration No.	46,433
		Telephone	1-650-496-6400
Signature		Date	Dec. 29, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.